

THURSDAY, MARCH 7, 1991

NINETEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Ray Boyle, Green Grove Baptist Church, Whiteville, Tennessee.

Representative Page Walley led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Copeland; due to a previous speaking engagement.

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 7, 1991

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the Regular Calendar for Monday, March 11, 1991: House Bill(s) No(s). 875, 958, 869, 1385, 965, 570 and 770.

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We have also set the following bills on the **Regular Calendar** for **Wednesday, March 13, 1991**: House Bill(s) No(s). 898, 768, 369, 325, 26 and 51.

We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, March 11, 1991**: House Bill(s) No(s). 833 and 896.

PHILLIPS, Chair.

MESSAGE FROM THE GOVERNOR

March 6, 1991

MR. SPEAKER: I am directed by the Governor to return here with: House Bill(s) No(s). 29, 282, 330, 817, 830 and 928, also, House Joint Resolution(s) No(s). 2, 3, 4, 5, 25, 68, 69, 71, 72, 73, 76, 78, 80, 88, 89, 90, 92, 94, 96, 97, 99 and 104; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

RULES SUSPENDED

Rep. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 129 out of order, which motion prevailed.

House Joint Resolution No. 0129 -- Memorials, Death -- Reverend Alexander McEwen Williams. by *DeBerry, *King, *Dixon.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. DeBerry, the resolution was adopted by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner

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(Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Resolution No. 0020 -- Memorials, Personal Occasion -- Mr. and Mrs. Carson Cooper, 60th wedding anniversary.

House Resolution No. 0021 -- Memorials, Sports -- Sullivan East High School Patriot Regiment.

House Resolution No. 0023 -- Memorials, Personal Occasion -- Bellina Watkins, 90th birthday.

House Joint Resolution No. 0113 -- Memorials, Professional and Business Achievement -- Gus Kampas, owner of Varsity Inn.

House Joint Resolution No. 0114 -- Memorials, Recognition and Thanks -- Boyd family and National Baptist Publishing Board.

House Bill No. 0952 -- Lewis County -- Requires purchases or contracts made by commissioners of highways which exceed \$2,500 subject to approval of advisory commission. Amends Chapter 395, Private Acts of 1937, as amended.

House Bill No. 1386 -- Trenton -- Revises salary of mayor. Amends Chapter 551, Acts of 1903, as amended.

On motion, House Bill No. 1386 was made to conform with Senate Bill No. 1462.

On motion, **Senate Bill No. 1462**, on same subject, was substituted for House Bill No. 1386.

House Bill No. 1509 -- Rives -- Provides for per diem for city officials. Amends Chapter 129, Private Acts of 1981.

House Bill No. 1510 -- Collierville -- Creates community design review commission. Amends Chapter 230, Private Acts of 1988.

House Bill No. 1513 -- Hawkins County -- Raises amount of purchases or contracts for purchases of materials, supplies or equipment by financial agent or purchasing agent after advertisement. Amends Chapter 256, Private Acts of 1957, as amended.

Senate Joint Resolution No. 0100 -- Memorials, Sports -- Christian Brothers High School cheerleading squad.

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Senate Joint Resolution No. 0101 -- Memorials, Public Service -- Kingsport Jaycees, 45th Anniversary.

Senate Joint Resolution No. 0102 -- Memorials, Public Service -- Susan Nunley Marttala.

House Bill No. 1518 -- Oliver Springs -- Changes compensation of mayor and aldermen. Amends Chapter 247, Acts of 1905, as amended.

House Bill No. 1519 -- Cocke County -- Confers mental health commitment jurisdiction upon general sessions court. Amends Chapter 316, Private Acts of 1953, as amended.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 0645 -- Alcoholic Beverages -- Redefines "alcoholic beverage". Amends TCA 57-3-101.

Rep. Rhinehart moved that House Bill No. 645 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 645 by deleting Section 1 in its entirety, and by inserting in lieu thereof the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-101(a), is amended by deleting the last sentence in subdivision (1) and by inserting in lieu thereof the following:

Notwithstanding the provisions of this definition, products or beverages containing less than one-half of one percent (0.5%) alcohol by volume, other than wine as defined in this section, shall not be considered to be alcoholic beverages and shall not be subject to regulation or taxation pursuant to Chapters 1 through 6 and 9 of this title.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that House Bill No. 645, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	80
Noes.	11
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chumney, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove, Hassell, Head, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullis, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix -- 80.

Representatives voting no were: Byrd, Chiles, Duer, Givens, Harrill, Haun, Hill, Holcomb, McAfee, Sipes, Wood -- 11.

Representatives present and not voting were: Clark, Turner (Hamilton), Mr. Speaker Naifeh -- 3.

A motion to reconsider was tabled.

House Bill No. 0722 -- Alcoholic Beverages -- Requires non-resident seller permit holder to file affirmative statement that

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holder is not importing alcoholic beverages in violation of law.
Amends TCA 57-3-605.

On motion, House Bill No. 722 was made to conform with Senate Bill No. 672.

On motion, **Senate Bill No. 672**, on same subject, was substituted for House Bill No. 722.

Rep. Rhinehart moved that **Senate Bill No. 672** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	2
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holt, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigbsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Chiles, Tullos -- 2.

Representatives present and not voting were: Haun, Holcomb, Hubbard, Turner (Hamilton) -- 4.

A motion to reconsider was tabled.

House Bill No. 0799 -- County Officers -- Expands time for county executive to review resolution before action is necessary.
Amends TCA, Title 5, Ch. 6.

Rep. Rhinehart moved that House Bill No. 799 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong,

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Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Givens -- 1.

A motion to reconsider was tabled.

House Bill No. 0738 -- Dentists -- Establishes guidelines for license requirements for dentists and dental hygienists. Amends TCA 63-5-107, 110, 128.

Rep. Chiles moved that House Bill No. 738 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 738 by adding the following language to Section 1:

No dentist who obtains a waiver from the board for CPR requirements shall practice dentistry unless a dentist, dental hygienist or dental assistant currently certified in CPR is present.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Chiles moved that **House Bill No. 738**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee,

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Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Kernell -- 1.

A motion to reconsider was tabled.

House Bill No. 1104 -- Highway Signs -- Grassmere Wildlife Park, I-24, I-65.

Rep. Chiles moved that House Bill No. 1104 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 0576 -- Professions and Occupations -- Revises requirements for marital and family therapists. Amends TCA, Title 63, Ch. 22, Pt. 1.**

Rep. Holcomb moved that House Bill No. 576 be passed on third and final consideration.

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Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 576 by deleting in its entirety item (3) from the amendatory language of Section 6, and by substituting instead the following language:

(3) Has met standards set by the board no less stringent than the American Association for Marriage and Family Therapy's standards for a clinical member so long as such standards specify a minimum of a masters level degree; and,

AND FURTHER AMEND by deleting from subsection (c) of the amendatory language of Section 7 the word, figures and punctuation "and 63-22-116", and by substituting instead the word, figures and punctuation "or 63-22-103(b)".

AND FURTHER AMEND by deleting in its entirety item (6) of the amendatory language of Section 10, and by substituting instead the following language:

(6) "Marital and family therapy" means the diagnosis and treatment of cognitive, affective, and behavioral problems and dysfunctions within the context of marital and family systems. Marital and family therapy involves the professional application of psychotherapeutic family systems theories and techniques in the delivery of services to individuals (in the context of family systems theory and practice) couples and families."

AND FURTHER AMEND by adding the following language to Section 10 as a new subsection (g):

(g) Nothing in Section 62-22-115 shall be construed as permitting any person certified or licensed as a marital and family therapist to perform psychological testing intended to measure and/or diagnose mental illness. Consistent with each therapist's formal education and training, licensed marital and family therapists may administer and utilize appropriate assessment instruments which measure and/or diagnose cognitive, affective and behavioral problems and dysfunctions of individuals (in the context of marital and family systems) couples and families as part of the therapy process or in the development of a treatment plan.

AND FURTHER AMEND by deleting in its entirety subsection (d) of the amendatory language of Section 14, and by substituting instead the following language:

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(d) Nothing in this chapter shall be construed to prevent qualified members of other professional groups as defined by the board, including but not limited to, licensed clinical social workers, licensed psychologists, licensed psychological examiners, psychiatric nurses, physicians, attorneys at law, or members of the clergy, from doing or advertising that they perform the work of marital and family therapy nature consistent with the accepted standards of their respective professions.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Holcomb moved that **House Bill No. 576**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 0548** -- Public Contracts -- Prohibits persons convicted of offense after May 22, 1981 from soliciting employment on state contract. Amends TCA 12-4-605.

Rep. Buck moved that House Bill No. 548 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove,

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Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Ferguson, Givens, Haun, Turner (Hamilton) -- 4.

A motion to reconsider was tabled.

House Bill No. 0741 -- Funeral Directors and Embalmers -- Enlarges funeral directors licensing board. Amends TCA 62-5-201.

Rep. Robinson (Davidson) moved that House Bill No. 741 be reset for one week to the Calendar for Thursday, March 14, 1991, which motion prevailed.

***House Bill No. 0251 -- Sunset Laws --** Extends termination date of Tennessee life and health insurance guaranty association. Amends TCA, Title 4, Ch. 29; Title 56, Ch. 12.

On motion, House Bill No. 251 was made to conform with Senate Bill No. 324.

On motion, **Senate Bill No. 324**, on same subject, was substituted for House Bill No. 251.

Rep. King moved that **Senate Bill No. 324** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West,

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Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 0778 -- Sunset Laws --** Extends termination date of commission on children and youth. Amends TCA, Title 4, Ch. 29; Title 37, Ch. 3.

Rep. King moved that House Bill No. 778 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	99
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

***Senate Bill No. 0144 -- Utilities, Utility Districts --** Permits damages for fraudulent use of any utility. Amends TCA 65-35-104.

Further consideration of Senate Bill No. 144, previously considered on March 6, 1991, at which time House Bill No. 170 was substituted for Senate Bill No. 144 and then reset to the calendar for today.

Rep. Rhinehart moved that **Senate Bill No. 144** be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 144 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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Section _____. Tennessee Code Annotated, Section 65-35-104(e), is amended by adding the following language at the end of subdivision (3):

An unrecorded lien shall not be effective against a bona fide purchaser without actual or constructive knowledge of the fraudulently diverted utility service.

On motion, Amendment No. 1, previously filed, was withdrawn.

Rep. Buck moved to amend as follows:

Amendment No. 2

Senate Bill No. 144 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 65-35-104(e), is amended by adding the following language as a new subdivision (4):

(4) If a utility has not registered the contract for utility services on such property as provided in §66-11-111 or has not filed a sworn statement in lieu of registration of the contract as provided in §66-11-112, such lien shall not be effective against a bona fide purchaser for value without actual or constructive knowledge of the fraudulently diverted utility service.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Rhinehart moved that Senate Bill No. 144, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	63
Noes.	27
Present and not voting.	6

Representatives voting aye were: Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Ferguson, Fowlkes, Garrett, Hassell, Head, Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, McAfee, McDaniel, Moore, Napier, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Sipes, Tindell, Walley, West, Whitson, Williams (Shelby), Windle, Wix, Wood, Mr. Speaker Naifeh -- 63.

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Representatives voting no were: Allen, Anderson, Dixon, Gunnels, Haley, Halteman, Harrill, Hill, Jackson, Jones U (Shelby), King, Liles, McKee, Meyer, Niceley, Nuber, Peroulas Draper, Pruitt, Rigsby, Rinks, Severance, Shirley, Stamps, Tullos, Turner (Hamilton), Turner (Shelby), Venable -- 27.

Representatives present and not voting were: DeBerry, Givens, Hargrove, Haun, Love, Winningham -- 6.

A motion to reconsider was tabled.

Senate Bill No. 0080 -- Criminal Offenses -- Expands offense of reckless burning to include fires started by person on own property if fire escapes to property of another; prohibits certain fires in proximity to grasslands. Amends TCA 39-14-304, 306.

Further consideration of Senate Bill No. 80, previously considered on March 6, 1991, at which time House Bill No. 8 was substituted for Senate Bill No. 80 and was reset to the calendar for today.

Rep. Hillis moved that **Senate Bill No. 80** be passed on third and final consideration.

Rep. Hillis moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 80 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 39-14-304, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) A person commits reckless burning who:

(1) recklessly starts a fire on the land, building, structure, or personal property of another; or

(2) starts a fire on his or her own land, building, structure or personal property and recklessly allows the fire to escape and burn the property of another.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Hillis moved that **Senate Bill No. 80**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. 99
Noes. 0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Kent moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 130 out of order, which motion prevailed.

House Joint Resolution No. 0130 -- Memorials, Heroism -- First Lt. Jorge Arteaga. by *Kent, *Hassell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kent, the resolution was adopted by the following vote:

Ayes. 99
Noes. 0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion,

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Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE
March 7, 1991**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 395, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MOTION TO RECONSIDER

Rep. Bragg moved to lift from the table the motion to reconsider Senate Bill No. 395, which motion prevailed.

Senate Bill No. 0395 -- Hospitals and Health Care Facilities -- Exempts certain health care facilities from certificate of need requirements under certain circumstances. Amends TCA 68-11-106.

Rep. Bragg moved to reconsider action in passing Senate Bill No. 395, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 2. On motion, Amendment No. 2 was withdrawn.

Rep. Bragg moved to amend as follows:

Amendment No. 4

AMEND Senate Bill No. 395 by deleting the language from Section 1 "a home health agency which: (1) was engaged in business providing continuous skill nursing services on May 30, 1985," and by substituting instead the language "a home health agency: (1) which was engaged in business on May 30, 1985, (2) which provides continuous skilled nursing care to patients in their regular or temporary place of residence for periods of eight (8) hours or longer,".

AND FURTHER AMEND by redesignating items (2), (3), and (4) of the introduced bill as items (3), (4), and (5), respectively.

On motion, Amendment No. 4 was adopted.

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Thereupon, Rep. Bragg moved that **Senate Bill No. 395**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Arriola, Holcomb -- 2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
March 7, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 120; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

RULES SUSPENDED

Rep. Bittle moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 120 out of order, which motion prevailed.

Senate Joint Resolution No. 0120 -- Memorials, Professional and Business Achievement -- Jim Clayton, Horatio Alger award recipient. by *Atchley, *Gilbert.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Bittle, the resolution was concurred in.

A motion to reconsider was tabled.

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SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 806: Rep(s). Halteman as prime sponsor(s).

House Bill No. 1127: Rep(s). Jackson and McDaniel as prime sponsor(s).

House Bill No. 1128: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 1129: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 1130: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 1131: Rep(s). Jackson and McDaniel as prime sponsor(s).

House Bill No. 1134: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 1173: Rep(s). Jackson and McDaniel as prime sponsor(s).

House Bill No. 1182: Rep(s). Jackson and McDaniel as prime sponsor(s).

House Bill No. 1437: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 1481: Rep(s). U. Jones (Shelby) as prime sponsor(s).

House Joint Resolution No. 1: Rep(s). Haley as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

***House Resolution No. 0024** -- General Assembly, Studies -- Continues HJR 43 to study AFDC public assistance. by *Pruitt, *Halteman, *Kent, *Armstrong.

Referred by the Speaker to the Health and Human Resources Committee.

House Joint Resolution No. 0124 -- Memorials, Heroism -- Corporal James David Tatum. by *McKee.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0125** -- General Assembly, Statement of Intent or Position -- States that other routes and alternatives

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be considered for proposed expansion of I-40/240 in North Memphis. by *Jones U, *Armstrong, *Pruitt, *Turner L, *King, *Jones R, *Chumney, *DeBerry, *Dixon.

Referred by the Speaker to the Transportation Committee.

***House Joint Resolution No. 0126** -- General Assembly, Studies -- Directs study of state policy on transracial adoptions. by *Dixon, *Turner L, *Jones R.

Referred by the Speaker to the State and Local Government Committee.

***House Joint Resolution No. 0127** -- Highway Signs -- Designates certain portion of U. S. 79 as "Blue Star Memorial Highway". by *Herron.

Referred by the Speaker to the Transportation Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1531 -- Anderson County -- Creates juvenile court judge. Amends Chapter 74, Private Acts of 1961. by *Coffey, *Williams M.

Passed first consideration.

House Bill No. 1532 -- Cottage Grove -- Adopts new charter. Amends Chapter 333, Private Acts of 1953, as amended. by *Ridgeway.

Passed first consideration.

House Bill No. 1533 -- Henry County -- Clarifies membership on board of trustees for medical center. Amends Chapter 176, Private Acts of 1953, as amended. by *Ridgeway.

Passed first consideration.

SENATE BILLS TRANSMITTED

On motion, the bills listed were transmitted to the House and held on the Clerk's desk as noted:

***Senate Bill No. 0310** -- Driver Licenses -- Extends validation period of driver licenses; increases fee; requires certain testing on renewals. Amends TCA, Title 55, Ch. 50, Pt. 3. (HB 0410).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0799** -- Hazardous Materials -- Establishes

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method for determining large or small generator; allows exemptions. Amends TCA, Title 68, Ch. 46. (HB 1244).

Held pending third consideration of companion House Bill.

***Senate Bill No. 1016** -- Attorneys at Law -- Enumerates powers which may be incorporated by reference into a general power of attorney. Amends TCA, Title 34, Ch. 6. (HB 1424).

Held pending third consideration of companion House Bill.

***Senate Bill No. 1076** -- Antique Dealers -- Permits use and possession of antique slot machines under certain circumstances. Amends TCA, Title 39, Ch. 17, Pt. 5. (HB 1085).

Held pending third consideration of companion House Bill.

Senate Bill No. 1155 -- County Officers -- Increases sheriff or constable fees for certain services. Amends TCA, Title 8, Ch. 21. (*HB 0495).

Held pending third consideration of companion House Bill.

Senate Bill No. 1397 -- Highways, Roads and Bridges -- Clarifies responsibility for maintenance of interstate, state and public highways and bridges; limits jurisdiction of claims commission for claims of negligence. Amends TCA 9-8-307, 54-4-406, 54-4-508, 54-5-507. (*HB 1265).

Held pending third consideration of companion House Bill.

SENATE BILLS ON SECOND CONSIDERATION

On motion, the Senate Bills listed passed second consideration and were referred to committee or held on the Clerk's desk as noted:

Senate Bill No. 1320 -- Madison County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 1526 -- Columbia -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1527 -- Blount County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

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House Bill No. 1529 -- Clarksville -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 78**, having been prefiled for introduction, House Bill(s) No(s). 1534, 1535 and 1536, was/were referred to the Delayed Bills Committee.

House Bill No. 1534 -- Pensions and Retirement Benefits -- Provides retirement credit for certain employees of regional library boards. Amends TCA, Title 8, Ch. 35, Pt. 2.

House Bill No. 1535 -- Utilities, Utility Districts -- Permits electric utility companies in Hancock County to erect antenna on lookout towers. Amends TCA, Title 11. by *Givens, *Cross.

House Bill No. 1536 -- Hospitals and Health Care Facilities -- Excludes hospitals from obtaining certificate of need and major medical purchase requirement. Amends TCA 68-11-102. by *Davis J K.

REPORT OF DELAYED BILLS COMMITTEE
March 7, 1991

Pursuant to **Rule No. 78**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 1517, 1522 and 1523.

Jimmy Naifeh, Speaker
Bill Purcell
John Chiles

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
March 7, 1991

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 999, 1516, 1526 and 1527.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 7, 1991

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, March 11, 1991**: House Joint Resolution(s) No(s). 124; House Bill(s) No(s). 1526, 1527, 1516 and 999.

PHILLIPS, Chair.

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**SIGNED
March 7, 1991**

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 115; also, House Resolution(s) No(s). 25.

**ENGROSSED BILLS
March 7, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 129; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 7, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 129; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 7, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 115; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
March 7, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 38 and 52; and House Joint Resolution(s) No(s). 74, 105, 108 and 115; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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**MESSAGE FROM THE SENATE
March 7, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 79, 200 and 859; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 7, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 107; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 7, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 109, 110, 111 and 112; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0109 -- Memorials, Public Service -- Margaret Yarbrough. by *Cohen, *Kyle.

Senate Joint Resolution No. 0110 -- Memorials, Death -- Ted Holt. by *Greer.

Senate Joint Resolution No. 0111 -- Memorials, Public Service -- Marshall H. Wilson, Coffee County road superintendent. by *Cooper.

Senate Joint Resolution No. 0112 -- Memorials, Public Service -- Duromatic Products Corporation. by *Cooper, Kyle.

**MESSAGE FROM THE SENATE
March 7, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 214, 427, 510, 600, 616, 874, 950, 976, 1117 and 1371; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0214 -- Pensions and Retirement Benefits --

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Authorizes return of Group 2 members' contributions under certain circumstances. Amends TCA, Title 8, Ch. 37, Pt. 2. by *Springer.

***Senate Bill No. 0427 -- Driver Licenses --** Prohibits municipal law enforcement officers from seizing driver licenses for traffic violations. Amends TCA 55-50-801. by *Davis E.

***Senate Bill No. 0510 -- Election Laws --** Provides mechanism for advisory referendum in Shelby County on whether candidates for county and municipal elections be required to declare party affiliation. Amends TCA, Title 2, Ch. 13. by *Ford.

***Senate Bill No. 0600 -- Salaries and Benefits --** Removes October 31 deadline for filing prevailing wage reports. Amends TCA 12-4-405. by *Darnell.

***Senate Bill No. 0616 -- Purchasing --** Authorizes cities to increase threshold requirement for competitive bidding. Amends TCA 6-56-306. by *McKnight.

Senate Bill No. 0874 -- Economic and Community Development -- Establishes committee to recognize local efforts to foster community and neighborhood pride. Amends TCA, Title 4, Ch. 3, Pt. 7. by *Harper.

***Senate Bill No. 0950 -- Taxes, Severance --** Exempts material subject to sales and use tax. Amends TCA 67-6-209, 67-7-202. by *Womack, *McKnight.

***Senate Bill No. 0976 -- Pensions and Retirement Benefits --** Allows establishment of retirement credit by members participating in TCRS through employment with certain political subdivisions. Amends TCA, Title 8, Ch. 35, Pt. 2. by *Rochelle.

Senate Bill No. 1117 -- County Officers -- Authorizes county legislative body to fill temporary vacancy when member is inducted into military. Amends TCA 8-48-205. by *Womack.

Senate Bill No. 1371 -- Pensions and Retirement Benefits -- Authorizes Tennessee Municipal League and associated groups to participate in TCRS. Amends TCA, Title 8, Ch. 35, Pt. 2. by *Albright.

**SIGNED
March 7, 1991**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 79, 88, 186, 200, 569, 859 and 1274.

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ENGROSSED BILLS

March 7, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 548, 576, 645, 738, 778, 799, 952, 1104, 1509, 1510, 1513, 1518 and 1519; also, House Joint Resolution(s) No(s). 113, 114 and 130; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

March 7, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 107 and 129; also, House Resolution(s) No(s). 20, 21 and 23; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present and not voting were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Haltzman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, March 11, 1991.